

**MINUTES OF THE REGULAR MEETING
OF THE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF BARRINGTON
Monday, November 08, 2004**

CALL TO ORDER

The Regular Meeting of the President and Board of Trustees was called to order by President Reagle at 8:10p.m., in the Village Board Room, 200 South Hough Street, Barrington, Illinois. Pastor Mark Mallenger led the pledge of allegiance and then gave the invocation.

ROLL CALL

Upon roll being called the following answered present: Trustees Karen Darch, Jack Schaefer, Beth Raseman, Jeanne Yeagley, Paul Hunt, Jim Daluga; President Marshall Reagle. Also present were: Village Clerk Ron Koppelman, and Director of Administrative Services/ Treasurer Denise Pieroni.

READING OF AGENDA

President Reagle asked the Board if there were any additions, corrections or deletions to the Agenda. No changes were requested.

PRESENTATION OF THE ILLINOIS PUBLIC SERVICE INSTITUTE CERTIFICATE OF COMPLETION

Director of Public Works John Heinz presented Dennis Burmeister with a Certificate of Completion from the Illinois Public Service Institute.

APPROVAL OF MINUTES

MOTION: A motion was duly made by Trustee Yeagley and seconded by Trustee Darch to approve the minutes of the October 25, 2004 Regular Meeting of the Corporate Authorities as presented.

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, aye; Trustee Daluga, aye. President Reagle declared the motion passed and the minutes approved.

PERSONS TO BE HEARD FROM THE FLOOR – CITIZEN'S REGISTRATION/COMMENTS

President Reagle opened the floor to those wishing to address the Corporate Authorities.

Winston Duke of 132 Walton Street commented on his efforts to improve the use of the Public Education Government Channel 97/73 and his belief that the current coverage of local events is inadequate.

Barb Daab of 213 W Lincoln Avenue read the mission statement of the Barrington/Inverness Police Department and expressed her disappointment in the Police Department's response to recent events on Lincoln Ave.

Josh Daab of 213 W Lincoln Avenue commented on what he felt were shortcomings in how the Village is being run specifically referencing events on Lincoln Ave, developments in the Village center, and currently pending lawsuits.

Peggy Moston of 239 W Lake Street commented on her perspective as to what had occurred on Lincoln Avenue the night of October 9th.

Ed Scott of 116 Coolidge questioned the Board as to which Trustee might have asked to screen Mr. Daab's comments prior to his speaking. Trustee Raseman responded that she had a conversation with Mr. Daab but that there was a misunderstanding regarding their conversation and the intent of her comments.

REPORTS OF VILLAGE OFFICIALS

VILLAGE PRESIDENT'S REPORT

President Reagle commented on the appearance of the judicial system's disproportionate concern for the rights of the accused and convicted.

VILLAGE STAFF REPORTS

Public Works Director John Heinz provided an overview of the Flint Creek Restoration project. Mr. Heinz described how the Flint Creek serves as the main storm water sewer for the Village of Barrington. Mr. Heinz provided an overview of various strategies used in the past few decades to stabilize the creek banks to prevent erosion. Mr. Heinz reviewed various projects that have been undertaken by and with the Village working with both private and commercial entities to improve the creek bed. Mr. Heinz continued with a presentation of pictures of the various portions of the creek in need of restoration. Mr. Heinz described more recent events regarding the restoration in and around Fox Point and the concerns of several homeowners as to how the restoration will impact their property.

Dan Woods of 509 Lake Shore Dr North, representing the Fox Point Homeowners Association, commented on the need for the Flint Creek restoration project and described steps, including the delay of the start of the project, taken by the Homeowners Association in an effort to address concerns of several of the residents whose properties were located within the project area.

Susan Malone of 160 Surry Lane commented on her desire to have her property excluded from the Flint Creek restoration project not from a lack of support of the project but from her concern regarding long term maintenance obligations once the project is completed.

Chief Lawler then commented on events on Lincoln Avenue. He noted that the public should not take the Department's reticence to discuss this matter in detail as agreement with all the comments made. He noted that this is a pending matter and that it was not appropriate to discuss publicly if the Village is expected to have the desired results at the end of the day. He also noted that as to an alleged statement made that neighbors should move if they do not like the situation in the neighborhood, this was not his position or the position of the Police Department

John Heinz was congratulated and thanked for his 15 years of service to the Village of Barrington.

VILLAGE CLERK'S REPORT

Village Clerk Ron Koppelman had no report.

COMMITTEE REPORTS

ADMINISTRATIVE SERVICES/FINANCE COMMITTEE

Trustee Darch reported that the Committee discussed a number of issues and were presenting positive recommendations on payment of legal bills and two other matters being considered by the Corporate Authorities at this meeting. She noted that the Committee had also reviewed monthly financial reports noting that the August sales tax numbers were up significantly from the year prior. Trustee Darch reported that the meeting was not adjourned but was continued to Monday, November 15 at 6:30 p.m. in order to continue Committee discussion on several items including the 2004 Tax Levy Report. Trustee Darch then commented on efforts to improve the use of the PEG channels

PLANNING & ZONING & ECONOMIC DEVELOPMENT COMMITTEE

Trustee Yeagley reported that the next meeting will be November 16th.

PUBLIC SAFETY COMMITTEE

Trustee Hunt reported that the Committee had not met noting however that the staff was in the process of compiling the results of the 2nd traffic survey relating to traffic calming recommendations on South Cook, Grove and Summit.

PUBLIC WORKS COMMITTEE

Trustee Schaefer reported that the last meeting was well attended. He noted that the Committee was not able to address all agenda items and as a result had scheduled an additional meeting to be held on November 22nd. He then noted that projects to be discussed included those on Roslyn Rd.

CONSENT AGENDA Pursuant to 65 ILCS 5/3.1-40-40, a single roll call vote of the Village Board of Trustees and the President on a group of ordinances, resolutions, orders, and/or motions.

President Reagle asked if anyone wished to have any items removed from the Consent Agenda. None were noted.

MOTION: A motion was duly made by Trustee Hunt and seconded by Trustee Raseman to approve taking a single roll call vote to adopt and create a Consent Agenda, consisting of Items 5a, 5b, 5c, 5d, 5e, 5f, and 5g.

For the benefit of the public, President Reagle listed the following items to be included on the Consent Agenda.

- 5a. MOTION TO RECEIVE AND PLACE ON FILE** a Recommendation from the Architectural Review Commission Re: ARC 04-30; Citgo Gas Station – 111 West Main Street (Certificate of Approval)
- 5b. MOTION TO RECEIVE AND PLACE ON FILE** a Recommendation from the Plan Commission Re: PC 04-10; CVS Pharmacy – 101 South Northwest Highway (Planned Development)
- 5c. MOTION TO RECEIVE AND PLACE ON FILE** a Recommendation from the Architectural Review Commission Re: ARC 04-18; CVS Pharmacy - 101 South Northwest Highway (Certificate of Approval)
- 5d. RESOLUTION #04-3093:** Authorizing and Approving a Renewal of an Agreement with IKON Providing for the Maintenance of Six (6) Ricoh Copiers / System Printers
- 5e. RESOLUTION #04-3094:** Authorizing and Approving a Change Order (2004 Road Improvement Project)
- 5f. RESOLUTION #04-3095:** Authorizing a Waiver of Competitive Bids and Approving the Purchase and Installation from the Metropolitan Pump Company of Two GPM Sewage Pumps for the Braymore Subdivision Sewage Lift Station
- 5g. RESOLUTION #04-3096:** Regarding Certain Employment Benefits for the Director of Administrative Services

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, aye; Trustee Daluga, aye; President Reagle, aye. President Reagle declared the motion to take a single roll call vote to adopt and create the Consent Agenda passed unanimously.

MOTION: A motion was duly made by Trustee Darch and seconded by Trustee Daluga to approve the Consent Agenda consisting of Items 5a, 5b, 5c, 5d, 5e, 5f, and 5g.

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, aye; Trustee Daluga, aye; President Reagle, aye. President Reagle declared the motion passed.

6. UNFINISHED BUSINESS

a. VETO ITEM:

- i. MOTION:** To reconsider the vote by which Ordinance No. 04-3193 "Ordinance Authorizing and Approving Execution of a First Amendment to Amended and Restated Redevelopment Agreement with Cook Street Plaza Joint Venture for Redevelopment of Property within the Village Center Tax Increment Financing Redevelopment Project Area" was originally adopted

MOTION: A motion was duly made by Trustee Darch and seconded by Trustee Daluga to reconsider the vote by which Ordinance No. 04-3193 "Ordinance Authorizing and Approving Execution of a First Amendment to Amended and Restated Redevelopment Agreement with Cook Street Plaza Joint Venture for Redevelopment of Property within the Village Center Tax Increment Financing Redevelopment Project Area" was originally adopted

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, nay; Trustee Hunt, aye; Trustee Daluga, aye. President Reagle declared the motion passed.

- ii. **MOTION:** To Approve Ordinance No. 04-3193 "Ordinance Authorizing and Approving Execution of a First Amendment to Amended and Restated Redevelopment Agreement with Cook Street Plaza Joint Venture for Redevelopment of Property Within the Village Center Tax Increment Financing Redevelopment Project Area" Notwithstanding the Veto of the Village President

MOTION: A motion was duly made by Trustee Darch and seconded by Trustee Raseman to Approve Ordinance No. 04-3193 "Ordinance Authorizing and Approving Execution of a First Amendment to Amended and Restated Redevelopment Agreement with Cook Street Plaza Joint Venture for Redevelopment of Property Within the Village Center Tax Increment Financing Redevelopment Project Area" Notwithstanding the Veto of the Village President

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, nay; Trustee Hunt, aye; Trustee Daluga, aye. President Reagle declared the motion passed.

b. VETO ITEM:

- i. **MOTION:** To reconsider the vote by which Ordinance No. 04-3194 "Ordinance Authorizing and Approving a Grant of Construction Easement" was originally adopted

MOTION: A motion was duly made by Trustee Darch and seconded by Trustee Hunt to reconsider the vote by which Ordinance No. 04-3194 "Ordinance Authorizing and Approving a Grant of Construction Easement" was originally adopted

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, nay; Trustee Hunt, aye; Trustee Daluga, aye. President Reagle declared the motion passed.

- ii. **MOTION:** To Approve Ordinance No. 04-3194 "Ordinance Authorizing and Approving a Grant of Construction Easement" Notwithstanding the Veto of the Village President

MOTION: A motion was duly made by Trustee Schaefer and seconded by Trustee Daluga to Approve Ordinance No. 04-3194 "Ordinance Authorizing and Approving a Grant of Construction Easement" Notwithstanding the Veto of the Village President

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, nay; Trustee Hunt, aye; Trustee Daluga, aye. President Reagle declared the motion passed.

NEW BUSINESS

- 7a **MOTION:** Approve In Principle the Termination of the Contracts/Agreements provided for in Resolution #03-2883 (Approval of an Agreement Between the Village of Barrington and the Illinois Environmental Protection Agency for Financial Assistance in Connection with the Restoration of Flint Creek Approval), Resolution #03-2884 (Approving and Authorizing Execution of an Agreement Between the Village of Barrington and the Fox Point Homeowners Association for Cooperative Restoration of Flint Creek) and Resolution #03-2889 (Authorizing a Waiver of Bids and Approving an Award of Contract to Applied Ecological Services for a Design/Build Contract and a Three-Year Maintenance Contract for Flint Creek Restoration in North Fox Point Subdivision) and Direct Counsel to Draft the Appropriate Legislation to Effectuate these Terminations.

Trustee Yeagley commented that, rather than terminate the contracts, the contracts needed to be amended to include a provision allowing for the exclusion from the project those property owners who do not wish to participate. Trustee Yeagley also commented on the possible need for a survey of property lines.

In that the action recommended by Trustee Yeagley could not be accomplished through an amendment of the item presented, Trustee Yeagley asked that Staff include on the agenda of the next regularly scheduled meeting of the Board a Motion confirming that property owners who do not wish to participate will be excluded from the project.

- 7b RESOLUTION #04-3097:** Authorizing and Approving an Agreement with Total Environmental Solutions for Legal Services Relative to Issues Relating to the Illinois Environmental Protection Act

MOTION: A motion was duly made by Trustee Daluga and seconded by Trustee Darch to pass, as presented, the Resolution listed as Item 7b on the Agenda.

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, aye; Trustee Daluga, aye. President Reagle declared the motion passed.

- 7c. RESOLUTION #04-3098:** ARC 04-30; Citgo Gas Station – 111 West Main Street (Certificate of Approval

MOTION: A motion was duly made by Trustee Darch and seconded by Trustee Daluga to pass, as presented, the Resolution listed as Item 7c on the Agenda

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, aye; Trustee Daluga, aye. President Reagle declared the motion passed.

- 7d. ORDINANCE #04-3197:** Granting a Special Use for a Planned Development Re: PC 04-10: A special Use for a Business Planned Development Known as CVS Pharmacy Located at the Southeast Corner of Main Street (Lake-Cook Road) and Northwest Highway (U.S. Route 14)

MOTION: A motion was duly made by Trustee Hunt and seconded by Trustee Raseman to pass, as presented, the Ordinance listed as Item 7d on the Agenda.

Paul Evans reviewed the highlights of the request by the Petitioner and advised the Board that Staff is recommending approval. Concerns were raised by one member of the Board relative to the impact of the drive thru the adjacent residential properties and the impact of this development on the existing Jewel/Osco store. Paul Evans commented on the measures taken to address possible impacts. The Board was in agreement that the word Barrington should not appear on the corner amenity.

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, aye; Trustee Daluga, aye. President Reagle declared the motion passed.

- 7e. RESOLUTION #04-3099:** ARC 04-18; CVS Pharmacy – 101 South Northwest Highway (Certificate of Approval)

MOTION: A motion was duly made by Trustee Darch and seconded by Trustee Raseman to pass, as presented, the Resolution listed as Item 7e on the Agenda.

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, aye; Trustee Daluga, aye. President Reagle declared the motion passed.

- 7f. ORDINANCE #04-3198:** Adopting Annual Budget for the Village of Barrington for the 2005 Fiscal Year

MOTION: A motion was duly made by Trustee Daluga and seconded by Trustee Hunt to pass, as presented, the Ordinance listed as Item 7f on the Agenda.

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, aye; Trustee Daluga, aye; and President Reagle, aye. President Reagle declared the motion passed.

PAYMENT OF BILLS:

WARRANTS LIST- 10/31/04 \$9,031.53 (125 REIMBURSEMENT)

MOTION: A motion was duly made by Trustee Darch and seconded by Trustee Raseman to approve the payment of the bills included on the voucher listing for the period ending 10/31/04 in the amount of \$9,031.53.

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, aye; Trustee Daluga, aye. President Reagle declared the motion passed.

WARRANTS LIST- 11/08/04 \$957,908.01 (GENERAL)

MOTION: A motion was duly made by Trustee Darch and seconded by Trustee Raseman to approve the payment of the bills included on the voucher listing for the period ending 11/08/04 in the amount of \$957,908.01.

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, aye; Trustee Daluga, aye. President Reagle declared the motion passed.

WARRANTS LIST- 11/08/04 \$21,962.83 (COMED)

Trustee Hunt noted for the record that, due to a conflict of interest, he was recusing himself from deliberation on this matter in any way.

MOTION: A motion was duly made by Trustee Raseman and seconded by Trustee Yeagley to approve the payment of the bills included on the voucher listing for the period ending 11/08/04 in the amount of \$21,962.83.

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, recused; Trustee Daluga, aye. President Reagle declared the motion passed.

WARRANTS LIST- 11/08/04 \$104,711.98 (IPBC)

MOTION: A motion was duly made by Trustee Darch and seconded by Trustee Daluga to approve the payment of the bills included on the voucher listing for the period ending 11/08/04 in the amount of \$104,711.98.

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, aye; Trustee Daluga, aye. President Reagle declared the motion passed.

COMMENTS – “ROUND THE TABLE”

Trustee Darch wished all Veterans a happy Veteran’s Day. Trustee Darch commented on the value of Jewel – Osco and added that the Village will be happy to work with Jewel on any improvement they might want to make in their store. Trustee Darch urged residents to support the hospital’s Cardiac Care Center and their efforts to obtain a matching grant from the Kresge Foundation. She then thanked all who had thus far contributed to this effort.

Trustee Schaefer congratulated Dennis Burmeister on his completion of the Illinois Public Service Institute. Trustee Schaefer thanked residents for speaking about difficult situations in the Village and asked residents who have been critical of Police Department to consider the entire performance of the department.

Trustee Raseman thanked members of the Staff and residents for their participation in meetings regarding the Flint Creek restoration project.

Trustee Yeagley commented on a letter banning motorized scooters. Trustee Yeagley commented on a flyer she received from the Ice House Mall and urged residents to shop Barrington during the holiday season.

Trustee Hunt responded to comments by Mr. Duke about utilizing the PEG channel. Trustee Hunt commented that this is his second anniversary of his service on the Board and asked residents to keep the lines of communication

open. Trustee Hunt commented that he was pleased with the direction of the Flint Creek restoration project and asked residents to support and recognize Veterans on Veterans Day.

Trustee Daluga asked for the patience of residents while difficult situations are worked on and asked that people understand that the majority of residents who are part of the Village government are volunteers who have the best interests of the Village at heart. Trustee Daluga commented on efforts by the Junior Women's Club to raise funds to feed needy families.

President Reagle thanked all those who voted in the recent election.

CLOSED SESSION (This session shall be closed to the general public and media. Items discussed in Closed Session may be acted upon in open session following the completion of the Closed Session).

CONSIDERATION RE: Motion to Adjourn to Closed Session Personnel (5ILCS 120/2 (c) (1), Litigation (5ILCS 120/2(c)(11), Land Acquisition (5ILCS 120/2 (c) (5), Collective Negotiating Matters (5ILCS 120/2 (c) (2).

MOTION: Trustee Darch moved, seconded by Trustee Schaefer, that the Corporate Authorities adjourn to Closed Session for the purpose of the consideration of appointment, employment, compensation, discipline performance, or dismissal of specific employees of the public body, including hearing testimony on a complaint lodged against an employee to determine its validity, pursuant to Chapter 5 ILCS 120/2(c)(5) and for the purpose of discussing Litigation pursuant to Chapter 5 ILCS 120/2(c)(11).

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, aye; Trustee Daluga, aye. President Reagle declared the motion passed unanimously.

The time was 10:30 p.m.

RESUMPTION OF PUBLIC PORTION OF MEETING

The public portion of the meeting resumed at 11:00 p.m., Monday, November 08, 2004.

It was noted for the record that all Trustees and the Village President who were present prior to the commencement of the closed session were still present.

ADJOURNMENT

MOTION: A motion was duly made by Trustee Hunt and seconded by Trustee Yeagley to adjourn the Regular Meeting of the President and Board of Trustees.

A voice vote was then called following which President Reagle declared the motion to adjourn had been unanimously adopted and the meeting was adjourned. The time was 11:00 p.m., Monday, November 08, 2004.

Ron Koppelman, Village Clerk